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Hsu, Ming-Tay

(Typed or printed name of person signing this certificate)

Hsu Ming-Tay

(Signature)



UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant Hsu, Ming-Tay Art Unit: 2875
Series No 10/672,995 Examiner: Anabel M. Ton
Filed 09/25//2003
Title **Touch controlled lighting emitting device**

Mail Stop Non-Fee Amendment

Honorable Assistant Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Responsive to the Official Action date 04 / 05 / 2005, please reconsider the pending claims 1-8 kept alive, for the applicant was the first and true inventor of the cited document USP 6,158,871.

Cited USP 6,158,871 entitled "illuminated ball-point pen" assigned to Geddes et al was prosecuted in Continuing Prosecution Application on November 2, 1999. Because the American Inventors Protection Act of 1999 and its implementing regulations went into effect November 29, 2000, so the USPTO has eliminated Continued Prosecution Application as to Utility and Plant Patent Applications effective date since July 14, 2004 due to the CPA was largely redundant in view of RCE practice.

The applicant believes the AIPA enacted provision is for the benefit and advantage of the inventors as in the opinion of "patent as a whole" or "design as a whole". Since the applicant has applied in USPTO for more patents, such as USP 6,129,473 entitled " pen or the like with dual

illuminating ends” assigned to the applicant Hsu, Ming-Tay. In the published specification of USP 6,129,473 column 1 lines 10-13 mentioned: The applicant, Ming-Tay Hsu, of the present application has lodged an application entitled “An illuminating Ball-point pen” with the USPTO and a patent has been allowed” (i.e. USP 6,158,871).

And USP 6,155,700 entitled “Touch control emitting apparatus” assigned to the applicant Hsu, Ming-Tay, in the published specification column 4 lines 7-11 mentioned: “Furthermore, the light emitting apparatus can be mounted to a pen such that the top end of the ink core of the pen is connected to the touch button 90. Accordingly, the touch button 90 will cause the light emitting apparatus to be lighted when writing.”